

\*\*E-Filed 9/8/2009\*\*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

OPTIONS NATIONAL FERTILITY REGISTRY,  
a California Corporation; and JESSICA and a class  
of similarly situated persons,

## Plaintiffs,

V.

AMERICAN SOCIETY FOR REPRODUCTIVE MEDICINE; SOCIETY FOR ASSISTED REPRODUCTIVE TECHNOLOGY; DOES 1-102 (REGISTERED INFERTILITY PHYSICIANS) and DOES 103-1500 (FERTILITY CLINICS AND ASSOCIATED PROFESSIONAL DEFENDANTS),

### Defendants.

Case Number C 07-5238 JF (HRL)

ORDER STAYING ACTION TO  
PERMIT PLAINTIFF OPTIONS  
NATIONAL FERTILITY REGISTRY  
TO RETAIN NEW COUNSEL;  
RESETTING HEARING AND  
BRIEFING SCHEDULE ON  
PENDING MOTION TO DISMISS;  
AND RESETTING CASE  
MANAGEMENT CONFERENCE

On August 30, 2009, counsel for Plaintiff Options National Fertility Registry (“Options”) filed a status report informing the Court that he has been placed on inactive status by the State Bar of California, and requesting that the Court stay this action for ninety days to permit Options to retain new counsel. On September 3, 2009, an individual named Teri Royal,

1 purporting to act for Options, filed a copy of correspondence between herself and defense  
2 counsel in which Ms. Royal requested a sixty-day stay so that Options could retain new counsel.  
3 Defense counsel subsequently contacted the Court by telephone and suggested that the pending  
4 motion to dismiss, currently set for hearing on September 25, 2009, be continued to November  
5 20, 2009.

6 Accordingly, for good cause shown and without objection by Defendants, the Court  
7 hereby STAYS this action for until November 6, 2009 and RESETS the hearing on the motion  
8 to dismiss for November 20, 2009 at 9:00 a.m. Any opposition to the motion shall be filed on or  
9 before November 6, 2009, and any reply shall be filed on or before November 13, 2009.

10 The Case Management Conference set for September 25, 2009 is continued to November  
11 20, 2009 at 9:00 a.m. immediately following the hearing on the motion.

12 IT IS SO ORDERED.

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15 DATED: September 8, 2009

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17 JEREMY FOGEL  
United States District Judge  
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1 This Order has been served upon the following persons:

2 Catherine Mi Lee c.lee@mpglaw.com

3 Stanley G. Hilton FROG727@AOL.COM, froggg333@comcast.net,  
4 mscarver@aol.com, STAVROS3589@AOL.COM

5 Teri Royal @ fax number 714-799-1314<sup>1</sup>

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27       <sup>1</sup> Although Ms. Royal is not a party to the action, the Court has provided her with a  
28 courtesy copy of the instant order in light of her representations regarding her authority to act on  
behalf of Options.